

07-08-02

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
4264C5

EXPRESS MAIL CERTIFICATION

Express Mail Number: EL 782 733 106 US.
Date of Deposit: July 5, 2002

Hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature: Mila T. Kasan
Print Name: Mila T. Kasan

In re Application of
Livak et al.

Application Number
09/627,753

Filed
July 28, 2000

For
HYBRIDIZATION ASSAY USING SELF-QUENCHING FLUORESCENCE PROBE

Group Art Unit
1656

Examiner
Riley, Jezia

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner, dated February 4, 2002, rejecting the following claims: 39 and 40.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 01-2213. I have enclosed a duplicate copy of this sheet.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

Vincent M. Powers
Signature

- ☒ attorney or agent of record.

Vincent M. Powers 36,246
Typed or printed name Reg. No.

- ☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 36,246

July 5, 2002
Date

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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*

☐ * Total of _____ forms are submitted.